

**Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

Final

**AIR QUALITY PERMIT
Issued under 401 KAR 52:030**

Permittee Name: International Crankshaft Inc.
Mailing Address: 101 Carley Court
Georgetown, KY 40324

Source Name: Same as above
Mailing Address: Same as above

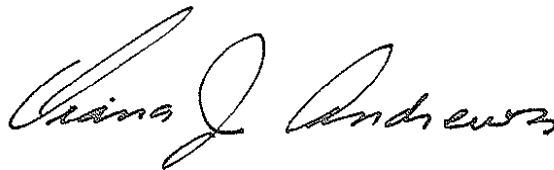
Source Location: Same as above

Permit Number: F-04-026(Revision 2)
Source A. I. #: 3910
Activity #: APE20070001
Review Type: Conditional Major
Source ID #: 21-209-00039

Regional Office: Frankfort Regional Office
663 Teton Trail
Frankfort, KY 40601-1758
(502) 564-3358

County: Scott

Application
Complete Date: February 28, 2007
Issuance Date: October 30, 2006
Revision Date: March 30, 2007
Expiration Date: October 30, 2011



**John S. Lyons, Director
Division for Air Quality**

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Definitions: The following definitions apply to all abbreviations and variables used in this permit:

PT – total particulate matter

PM10 – particulate matter equal to or smaller than 10 micrometers

CO – carbon monoxide

NO_x – nitrogen oxides

SO₂ – sulfur dioxide

Pb – lead

VOC – volatile organic compounds

Rev #	Permit type	Log #	Complete Date	Issuance Date	Summary of Action
---	Initial Issuance	56420	May 6, 2004	Nov. 4, 2005	Final Permit
1	Minor Revision	APE20060001	June 2, 2006	October 30, 2006	Shot Blasters replaced with Tumbler Shot Blasters and addition of Code Bar System.
2	Minor Revision	APE20070001	2/28/2007	March 30, 2007	Addition of Line #3. The Forging Process with Main press and Shot Blaster. Details, see SOB.

SECTION A – PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and received a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

**SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS,
AND OPERATING CONDITIONS****GROUP REQUIREMENTS:** **Die Making Line****01-03 (-) Rougher EDMs, construction commenced: April 10, 1991/ modification: 2007**

Description: The emission point consists of five electrostatic discharge machines used to mill graphite, fabricate new dies or re-work used dies. A box filter with an assumed efficiency of 90% controls PM10 and PT emissions.

Annual hours of operation: 8760 hours/year

Emission Sources:	Max Throughputs:	Pollutants:
Die blocks	0.40 ton/hr	PM10, PT
EDM oil	8.00 lb/hr	PM10, PT

01-04 (-) Shotblaster, construction commenced: April 10, 1991

Description: The emission point is a shot blaster used to clean used dies. A fabric filter with an efficiency of 99.4% controls PM10 and PT emissions.

Annual hours of operation: 8760 hours/year

Emission Sources:	Max Throughputs:	Pollutants:
Shot	0.007 ton/hr	PM10, PT

GROUP REQUIREMENTS: **Line #1 Die Forging****02-02 (-) Main Press, construction commenced: April 10, 1991**

Description: The emission point is the main die forging press. A graphite lubricant is used to protect the dies. A wet scrubber with an efficiency of 80% controls PM10 and PT emissions.

Annual hours of operation: 8760 hours/year

Emission Sources:	Max Throughputs:	Pollutants:
Billets	7.8 ton/hr	PM10, PT
Graphite lube	0.05 ton/hr	PM10, PT

02-04 (-) Shotblaster, construction commenced: April 10, 1991

Description: The emission point is a shot blaster used to clean crankshafts. A fabric filter with an efficiency of 99.5% controls PM10 and PT emissions.

Annual hours of operation: 8760 hours/year

Emission Sources:	Max Throughputs:	Pollutants:
Shot	0.021 ton/hr	PM10, PT

GROUP REQUIREMENTS: **Line #2 Die Forging****03-04 (-) Main Press, construction commenced: September 1996**

Description: The emission point is the main die forging press. A graphite lubricant is used to protect the dies. A wet scrubber with an efficiency of 80% controls PM10 and PT emissions.

Annual hours of operation: 8760 hours/year

Emission Sources:	Max Throughputs:	Pollutants:
Billets	7.8 ton/hr	PM10, PT
Graphite lube	0.05 ton/hr	PM10, PT

**SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS,
AND OPERATING CONDITIONS****03-05 (-) Shot blaster, construction commenced: September 1996**

Description: The emission point is a shot blaster used to clean crankshafts. A fabric filter with an efficiency of 99.5% controls PM10 and PT emissions.

Annual hours of operation: 8760 hours/year

Emission Sources:	Max Throughputs:	Pollutants:
Shot	0.021 ton/hr	PM10, PT

GROUP REQUIREMENTS: Line #3 Die Forging**05-02 Main Press, construction commenced: March 2007**

Description: The emission point is the main die forging press. A graphite lubricant is used to protect the dies. A wet scrubber with an efficiency of 90% controls PM10 and PT emissions.

Annual hours of operation: 8760 hours/year

Emission Sources:	Max Throughputs:	Pollutants:
Billets	20.8 ton/hr	PM10, PT
Graphite lube	0.133 ton/hr	PM10, PT

05-05 Shot blaster, construction commenced: 2007

Description: The emission point is a shot blaster used to clean crankshafts. A fabric filter with an efficiency of 99.5% controls PM10 and PT emissions.

Annual hours of operation: 8760 hours/year

Emission Sources:	Max Throughputs:	Pollutants:
Shot	0.056 ton/hr	PM10, PT

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations. Applicable to visible and particulate emissions from each emission point (listed above) commenced on or after July 2, 1975.

1. Operating Limitations:

See Section D below.

2. Emission Limitations:

- a. **Opacity Standard:** Section 3 (1), visible emissions from stacks or vents exiting the facility building shall not equal or exceed 20 percent opacity, as determined with Reference Method 9, Appendix A 40 CFR 60. No opacity standard shall apply for stacks vented inside the facility building.

Compliance demonstration: The permittee shall demonstrate compliance through monitoring and maintenance of the records as specified in points 4.

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**Specific Monitoring Requirements** and 5. **Specific Record Keeping Requirements** below.

- b. **Mass Emission Standard for particulate emissions from all emission points:** Section 3 (2), hourly particulate emissions for each emission point as measured by Reference Method 5, Appendix A 40 CFR 60, shall not exceed the limit calculated by the following equation:

$$E = 3.59 \cdot P^{0.62}$$

Where E is the particulate emission in lbs/hour and P is the process weight (i.e. the maximum amount of solid scraps/wastes produced or maximum amount of output product) in tons/hour. If the process weight is less than or equal to 0.5 ton/hour, the particulate matter emission limitation shall be 2.34 lbs/hour.

Compliance demonstration: The process weight shall be determined in hourly tons by averaging the monthly process weight rate over monthly hours of operation. Particulate emissions shall be calculated by the following equation:

$$E = P \cdot EF$$

Where E is particulate emissions in lbs/hr, P is averaged process weight in tons/hr and EF is the KYEIS particulate emission factor in lbs/ton of process weight.

- c. See Section D below.

3. Testing Requirements:

- a. The control efficiency on PM/PM₁₀ of wet scrubber for EP 05 (Line #3) shall be determinate by stack testing. See Section G.4 and G.5.
- b. Pursuant to Regulations 401 KAR 59:005 Section 2 (2) and 401 KAR 50:45 Section 1, performance testing using the Reference methods specified in Regulation 401 KAR 50:015 shall be conducted as required by the Division.

4. Specific Monitoring Requirements:

To provide reasonable assurance that particulate emission limitations are being met:

- a. The permittee shall monitor the relevant operating parameters, including but not limited to:
- i. The maximum monthly throughputs of each of the above-named particulate emission sources.
- ii. The monthly hours of operation of each particulate emission unit in each emission point.

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

- iii. The daily hours of operation and any periods of malfunction of the control equipment attached to each of the above-named emission sources.
 - b. The permittee shall install, calibrate, maintain and operate according to manufacturer's specification, a monitoring device (differential pressure gauge or manometer) to determine the pressure drop across each baghouse and scrubber once a day during the operation of the unit. The permittee shall check the scrubber nozzles on a weekly basis and shall record the observation in a monthly log.
 - c. Once per day the permittee shall survey the emission unit for visible emissions from each stacks or vents exiting the facility building and maintain a log of observations.
 - i. If no visible emissions are observed then no further monitoring is required.
 - ii. If visible emissions are observed, the permittee shall perform a Method 9 reading.
 - iii. The opacity observed shall be recorded in the monthly log.
 - iv. A representative of the permittee certified in Visible Emissions Evaluations shall perform the reading.
 - v. The permittee shall maintain a list of all individuals that are certified Visible Emissions Evaluators and the date of certification.
5. **Specific Recordkeeping Requirements:** The permittee shall maintain records of the relevant operating parameters, including but not limited to:
- a. The maximum monthly throughputs of each of the above-named emission sources.
 - b. The monthly hours of operation of the emission source and any periods of malfunction of each control device.
 - c. The parameters monitored pursuant to 4.b and 4.c in **Specific Monitoring Requirements** above.
6. **Specific Reporting Requirements:**
See SECTION F below
7. **Specific Control Equipment Operating Conditions:**
Control devices shall be operated according to manufacturer's specifications. The permittee shall monitor and maintain records of the maximum daily hours of operation and periods of malfunction of the control equipment.

SECTION C – INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

Unit #	Description	Generally Applicable Regulation
01-01	Graphite Milling (Maho, Boston, OKK, Finisher EDM)	401 KAR 59:010
01-02	Die Making (all except Rougher EDMs and Shotblasting)	401 KAR 59:010
02-01	Line #1 Die Forging	401 KAR 59:010
02-03	Line #1 Die Pre-Heater –0.05 MMBTU/hr	None
03-02	Line #2 Die Forging	401 KAR 59:010
03-03	Line #2 Die Pre-Heater – 0.05 MMBTU/hr	None
04-01	Rust Prevention Dip	401 KAR 59:010
04-02	Two (2) Magnaflux Booths	401 KAR 59:010
	Natural Gas-Fired Space Heaters – Eleven (11) 0.3 MMBTU/hr and One (1) 0.15 MMBTU/hr	None
	Die Reworking Area – MIG and TIG Welding Units	401 KAR 59:010
	Process Water Above Ground Storage Tank (AST) -- 20,000 Gallons	None
	Hydraulic Oil Tank – 1,000 Gallons	None
	Graphite Lube Tank – 1,000 Gallons	None
	Waste Oil AST – 2,000 Gallons	None
	Bar Coding System	None
	Tumbler Shot Blaster	401 KAR 59:010
	Natural Gas-Fired Space Heater – 3.5 MMBTU/hr	None
05-01	Line #3 Die Forging	401 KAR59:010
05-03	Line #3 Die Pre-Heater-0.12 MMBtu/hr Natural Gas	None
05-04	Line #3 Patrol Inspection Shot Blast Machine	401 KAR59:010
05-06	Line #3 Magnetizer Operation	401 KAR59:010

SECTION C – INSIGNIFICANT ACTIVITIES

05-07	Line #3 Rust Prevention Operation	401 KAR 59:010
	New Natural Gas Fired Space Heater-2.0 MMBTU/hr	None
	Four CNC Milling Machines	401 KAR 59:010
	Four 18,000 gallons Waste Water AST	None

SECTION D – SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.

1. **Operating Limitations:** The permittee shall limit the operation of any and all units to ensure compliance with the plant-wide emission limitations described in 2, below.
2. **Emission Limitations:** In order to maintain Conditional Major status, plant-wide PT emissions shall be less than 90 tons/year based on a 12-month rolling total as calculated:

$$\sum_{j=1}^n \left(\frac{P_{ij} \cdot EF_j}{2000} \right) \cdot \frac{A_j}{100} \cdot \left[1 - \left(\frac{B_j}{100} \right) \right] = X_i$$

$$\sum_{i=1}^{12} X_i \leq 90 \text{ TPY}$$

Where i is the month, j is the unit, n is the total number of units, P_{ij} is the hourly process rate, EF_j is the corresponding KYEIS PT or PM10 emission factor in lbs/process rate unit, A_j is the capture efficiency, B_j is the control efficiency of any integral control device, and X_i is the total tons per month of emissions.

HAP Emission Standards: In order to be exempt from 401 KAR 63:002 requirements and to maintain Conditional Major status:

- a. Individual HAP emissions from this source shall be less than 9.0 tons/year based on a 12-month rolling total.
- b. Plant-wide total HAP emissions from this source shall be less than 22.5 tons/year based on a 12-month rolling total.

Compliance demonstration: The 12-month rolling total emission rate for each, individual HAP shall be calculated with the following equation:

$$\sum_{i=1}^{12} \sum_{j=1}^n \frac{(P_{ij} \cdot \rho_j \cdot \%IHAP_j)}{2000}$$

Where n is the individual particulate emission, P_{ij} is the monthly particulate emission usage rate (Tons/month), ρ_j is particulate emission

SECTION D – SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

density (lb/Ton) and %IHAP_j is particulate emission individual HAP content as a weight percent.

Annual Plant wide total HAPS:

$$E_{HAPS} = \sum_{i=1}^{12} \sum_{j=1}^n \frac{P_{ij} \cdot EF_{HAPj}}{2000} \cdot \left(1 - \frac{CE_j}{100}\right)$$

Where i is the month, j is the individual HAP and HAPS_{ij} is the total tons per month of each individual HAP. EF_{HAPj} of individual HAP is the KYEIS particulate emission factor in lbs/ton of process weight. CE_j is the overall control efficiency applied to HAP j (%).

SECTION E – SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F – MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)(1) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place (as defined in this permit), and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030 Section 3(1)(f)1a and Section 1a (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
3. In accordance with the requirements of 401 KAR 52:030 Section 3(1) f the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substance or parameters to assure compliance with the permit or any applicable requirements (reasonable times are defined as during all hours of operation, during normal office hours, or during and emergency).

SECTION F – MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.
6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030 Section 22. All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall submit written notice upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.5 [Section 1b V(3) and (4) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
9. Pursuant to 401KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the

SECTION F – MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:

- a. Identification of each term or condition;
- b. Compliance status of each term or condition of the permit;
- c. Whether compliance was continuous or intermittent;
- d. The method used for determining the compliance status for the source, currently and over the reporting period.
- e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
- f. The certification shall be postmarked by January 30th of each year. **Annual compliance certifications should be mailed to the following addresses:**

Division for Air Quality
Frankfort Regional Office
663 Teton Trail
Frankfort, KY 40601

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee. If a KYEIS emission report is not mailed to the permittee, comply with all other emission reporting requirements in this permit.
11. Pursuant to Section VII (3) of the policy manual of the Division for Air Quality as referenced in 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days after the completion of the fieldwork.
12. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
 - a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - i. The size and location of both the original and replacement units; and
 - ii. Any resulting change in emissions;

SECTION F – MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

- b. The PTE of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
- c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
- d. The replacement unit shall comply with all applicable requirements; and
- e. The source shall notify Regional office of all shutdowns and start-ups.
- f. Within six (6) months after installing the replacement unit, the owner or operator shall:
 - i. Re-install the original unit and remove or dismantle the replacement unit; or
 - ii. Submit an application to permit the replacement unit as a permanent change.

SECTION G – GENERAL PROVISIONS**1. General Compliance Requirements:**

- a. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030 Section 3(1)(b) and is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a (2) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
- b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a (5) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
- c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030 Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - i. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030 Section 12;
 - ii. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - iii. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- d. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.
- e. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the conditions of this permit [Sections 1a (6) and (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

SECTION G – GENERAL PROVISIONS

- f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030 Section 7(1)].
- g. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a (11) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
- h. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a (3) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
- i. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a (12)(b) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
- j. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6) [Section 1a (9) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
- k. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030 Section 11(3)].
- l. This permit does not convey property rights or exclusive privileges [Section 1a (8) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
- m. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.

SECTION G – GENERAL PROVISIONS

- n. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
- o. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.
- p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
- q. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
 - i. Applicable requirements that are included and specifically identified in the permit; and
 - ii. Non-applicable requirements expressly identified in this permit.
- r. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030 Section 3(1)(c)].
- s. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030 Section 8(2)].

2. Permit Expiration and Reapplication Requirements:

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030 Section 12].

3. Permit Revisions:

- a. Minor permit revision procedures specified in 401 KAR 52:030 Section 14 (3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14 (2).

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- b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

4. Construction, Start-Up, and Initial Compliance Demonstration Requirements:

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein, emission points 05-02, 05-05 in accordance with the terms and conditions of this permit.

- a. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
- b. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the Division's Frankfort Central Office, notification of the following:
 - (1) The date when construction commenced.
 - (2) The date of start-up of the affected facilities listed in this permit.
 - (3) The date when the maximum production rate specified in the permit application was achieved.
- c. Pursuant to 401 KAR 52:030, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.
- d. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the final permit. This permit does not grant operational or final permit approval until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the Cabinet.

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- e. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. Testing must also be conducted in accordance with General Provisions G.5 of this permit.
- f. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

5. Testing Requirements

- a. Pursuant to 401 KAR 50:045 Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.
- b. Pursuant to 401 KAR 50:045 Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.
- c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

6. Acid Rain Program Requirements:

None

7. Emergency Provisions:

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- a. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - i. An emergency occurred and the permittee can identify the cause of the emergency;
 - ii. The permitted facility was at the time being properly operated;
 - iii. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - iv. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
- b. Notification of the Division does not relieve the source of any other local, state or federal notification requirements.
- c. Emergency conditions listed in General Provision G (f) 1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030 Section 23(3)].
- d. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030 Section 23(2)].

8. Risk Management Provisions:

- a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center

P.O. Box 3346

Merrifield, VA, 22116-3346

- b. If requested, the permittee shall submit additional relevant information to the Division or the U.S. EPA.

9. Ozone Depleting Substances:

- a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

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- i. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - ii. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - iii. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - iv. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the record keeping requirements pursuant to 40 CFR 82.166.
 - v. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - vi. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
- b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

SECTION H- ALTERNATE OPERATING SCENARIOS

N/A

SECTION I- COMPLIANCE SCHEDULE

N/A